

least four additional nucleic acid sequences included in the invention. As an [For] example, if a central portion of a [the first] nucleic acid sequence listed in SEQ ID NOS: 1-127811 happened to be[is]: 5'-agcgtccaa-3' [5'-cgccggaaagcgtccaatcaacat-3'] the additional sequences included in the invention which are represented by this nucleic acid sequence would be [are], for example:

3'-ttggacgct-5'[3'-gcggcctttcgcacggtagttgta-5'] = (perfect) sense match

3'-ttggtcgct-5'[3' gcggcctttcgctcggttagttgta-5'] = sense mismatch

5'-agcgtccaa-3'[3'-tacaactaaccgagcgaaaggccgc-5'] = (perfect) antisense [mis]match

5'-agcgaccaa-3'[3'-tacaactaaccgtgcgaaaggccgc-5'] = [(perfect)] antisense mismatch.

[]Accordingly, for each nucleic acid sequence listed in SEQ ID NOS: 1-127811, this disclosure includes the corresponding sense match, sense mismatch, antisense match and antisense mismatch. The position of the mismatch is not limited to near the center of the nucleic acid as in the above example, it may be located anywhere in the nucleic acid sequence and may comprise one or more bases.

Remarks

The amendments to the specification contain no new matter. The amendments simply change the text to provide shorter example sequences. The shortened example sequences contain less than nine nucleotides each and therefore, are not required to be within the sequence listing or CRF as provided in 37 C.F.R. 1.821-1.825. Additionally minor errors were corrected.

Text within the amendment was changed in order to clarify that the sequences discussed in this paragraph are examples of the form of change that may occur to a nucleotide sequence in

order to create a sense match, sense mismatch, antisense match and antisense mismatch sequence. The sequences presented are not necessarily within any of the sequences within the sequence listing, but may part of one of them. Therefore, the text changes are simply to provide shorter example sequences.

The amended sequences within the paragraph are each nine nucleotides in length and therefore are exempt from inclusion within a nucleotide sequence according to 37 C.F.R. 1.821. As such, the basis for the determination by Examiner that the last response by Applicants was non-responsive has been addressed. Each shorter sequence is a shorter, corrected version of the longer pre-amendment sequence. Each shorter sequence conveys the same information as the pre-amendment sequence. Therefore the shorter sequences do not contain new matter.

The deleted sequence for the sense match has an anomalous marking. The specification prior to amendment had that sequence presented as: 3'-gcggcctttcgcacggtagttgta-5'. The underline on the 5' end of that sequence was in the pre-amendment text and therefore was included in the marked version of the amendment. However, since the entire sequence is bracketed, Applicants are indicating deletion of the anomalously underlined text within the brackets.

While preparing the amendment Applicants noticed an inadvertent error in the sequences used as examples in this paragraph that appeared without deceptive intent. These errors include the accidental insertion of a nucleotide in the sequences of the sense match, sense mismatch, antisense match, and antisense mismatch examples. In deleting the old sequences and providing the shorter amended sequences Applicants also removed the accidentally inserted nucleotide.

In order to present a more logical flow of presentation, the order of the sequence

presentation was changed from the order sense match, sense mismatch, antisense mismatch, antisense match, to the order sense match, sense mismatch, antisense match, antisense mismatch. Additionally, the orientation of the antisense sequences was changed for the same reasons.


Finally, inadvertent paragraph formatting errors were fixed through the amendment.

Conclusion

Applicants appreciate Examiner's comments and suggestions. Applicants have provided amendments in response to Examiner's comments. Applicants have addressed the points of Examiner's Office Communication of 10/28/02. Applicants believe that all issues and points of the Examiner's Office Communication have been addressed. Applicant respectfully requests reconsideration and allowance of this Application. Applicants believes this paper to be fully responsive to each of the points made by the Examiner in the Action. Please debit Deposit Account No. 50-0581 for any deficiencies if necessary.

Dated this 26th day of November 2002.

Respectfully submitted,


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